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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/517,974 03/03/00 LARSON

S 13661-107

PM82/0213

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EXAMINER

STRIMBU,G

ART UNIT

PAPER NUMBER

3634

DATE MAILED: 02/13/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/517,974

Applicant(s)
S. Larson

Examiner
Gregory J. Strimbu

Group Art Unit
3634



☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Mar 3, 2000 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Drawings

The drawings are objected to because the applicant has failed to use the proper cross sectional shading when showing the invention in cross section. See figures 5 and 6 wherein the applicant fails to show the gasket 16 with any cross sectional shading. See MPEP 608.01. Correction is required.

Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. It is suggested that the applicant amend the title to include the gasket with anti-roll extensions as set forth in claim 1.

Claim Rejections - 35 USC § 112

Claims 6, 7, 13, 14 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "on the door and on the frame" on line 2 of claim 6 render the claims indefinite because it is unclear how the pockets can be on the door and the frame when it appears

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that the pockets are in the door and the frame. Recitations such as "the insulating material" on line 1 of claim 7 render the claims indefinite because it is unclear which one of the plurality of insulating materials set forth above the applicant is referring to.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-11 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald in view of Ryan et al. McDonald discloses a door and frame combination, the combination comprising a frame 10, a hinged door 56 engaging the frame, the door 56 further comprising a front wall (not numbered), rear wall (not numbered), and side walls (not numbered) enclosing a hollow core (not numbered) and insulting material 66 filling the hollow core, and a gasket 52 between the door and the frame, the gasket further comprising a flexible gasket wall. The insulating material is a polyurethane foam. The gasket includes a hollow central core (not numbered, but seen in figure 2). As shown in figure 1, the door includes a window (not numbered). McDonald is silent concerning anti-roll extensions.

However, Ryan et al. disclose a gasket 10 for sealing between a door and a door frame having anti-roll extensions 15, 16, 17, 20 and 21.

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It would have been obvious to one of ordinary skill in the art to provide McDonald with anti-roll extensions, as taught by Ryan et al., to improve the sealing between the door and the frame.

With respect to claims 3, 10, it would have been no more than an obvious matter of engineering design choice for one with ordinary skill in the art to provide the side walls with a thickness of 2 inches to improve the insulating value of the door.

With respect to claims 7, 9, 14, it would have been no more than an obvious matter of engineering design choice for one with ordinary skill in the art to manufacture the door with a high density polyurethane to improve the strength of the door or an expanding polyurethane foam to improve the insulating characteristics of the door.

Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald in view of Ryan et al. as applied to claims 1-4, 6-11 and 13-15 above, and further in view of Guillon. Guillon discloses a gasket comprising a friction reducing material 24a on a gasket wall 18a.

It would have been obvious to one of ordinary skill in the art to provide McDonald, as modified above, with a friction reducing material to ensure the easy opening and closing of the door.

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Claims 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald in view of Ryan et al. and Guillon. McDonald discloses a door and frame combination, the combination comprising a frame 10, a hinged door 56 engaging the frame, the door 56 further comprising a front wall (not numbered), rear wall (not numbered), and side walls (not numbered) enclosing a hollow core (not numbered) and a polyurethane insulting material 66 filling the hollow core, and a gasket 52 between the door and the frame, the gasket further comprising a flexible gasket wall. McDonald is silent concerning anti-roll extensions, a friction reducing material and expanding polyurethane foam.

However, Ryan et al. disclose a gasket 10 for sealing between a door and a door frame having anti-roll extensions 15, 16, 17, 20 and 21.

It would have been obvious to one of ordinary skill in the art to provide McDonald with anti-roll extensions, as taught by Ryan et al., to improve the sealing between the door and the frame.

In addition, Guillon discloses a gasket comprising a friction reducing material 24a on a gasket wall 18a.

It would have been obvious to one of ordinary skill in the art to provide McDonald, with a friction reducing material to ensure the easy opening and closing of the door.

Finally, it would have been no more than an obvious matter of engineering design choice for one with ordinary skill in the art to use an expanding polyurethane foam to improve the

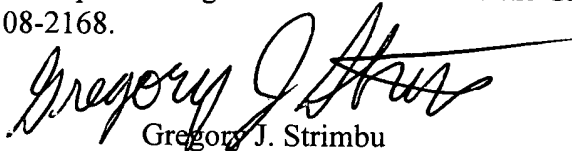
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insulating characteristics of the door or a high density polyurethane foam to improve the strength of the door and frame.

With respect to claim 20, it would have been no more than an obvious matter of engineering design choice for one with ordinary skill in the art to provide the side walls with a thickness of 2 inches to improve the insulating value of the door.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ruff, Matarazzo, Nelson, Hatcher, and Dailey are cited for disclosing a sealing gasket having anti-roll extensions. Tessier and Kessler are cited for disclosing a sealing gasket comprising an anti-friction material. Carter is cited for disclosing an air handling unit having a polyurethane construction. Bangs, Cooper and Banford are cited for disclosing a door and frame combination.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is (703) 305-3979. The examiner can normally be reached on Monday through Friday from 8:00 A.M. to 4:30 P.M. The fax phone number for this Group is (703) 305-3597. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.



Gregory J. Strimbu
Patent Examiner
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